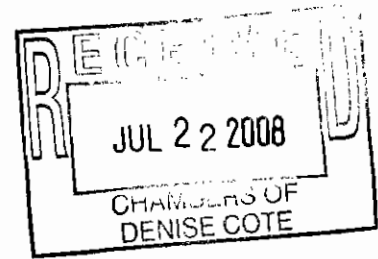




THE CITY OF NEW YORK
LAW DEPARTMENT
100 CHURCH STREET
NEW YORK, N.Y. 10007

MICHAEL A. CARDOZO
Corporation Counsel



BASIL C. SITARAS
Labor and Employment Law Division
Tel.: (212) 788-0879
Fax: (212) 788-8877
E-mail: bsitaras@law.nyc.gov

MEMO ENDORSED

July 18, 2008

VIA HAND DELIVERY

Honorable Denise L. Cote
United States District Judge
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
DOC #:
DATE FILED: 7/22/08

Re: Eric Edwards v. City of New York, et al., 08 Civ. 3134 (DLC)

Dear Judge Cote:

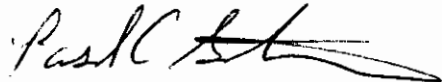
I am an Assistant Corporation Counsel in the Labor and Employment Law Division of the New York City Law Department and the attorney assigned to the defense of the City of New York and the New York City Department of Correction ("DOC") in this action. As Your Honor may remember, this is an action brought by plaintiff pursuant to the Fair Labor Standards Act, and has two components: 1) the donning and doffing of uniforms, which is subject to a pending motion to dismiss; and 2) mealtime compensation. I am writing on behalf of all parties in response to the Court's request for a joint letter regarding the status of the parties' positions on the "mealtime compensation" issue. As directed by the Court, defendants produced all relevant documents with respect to plaintiff Edwards on June 27, 2008. To date, plaintiffs' counsel are still reviewing and analyzing these documents. As such, the parties would respectfully request an additional thirty days, until August 18, 2008, to attempt to resolve this issue. Please note that the parties are also scheduled to appear before Magistrate Judge Gorenstein for a settlement conference on this issue before that time. This conference is presently scheduled for August 4, 2008, but for the reasons below the parties will be seeking a brief adjournment of this conference as well.

Furthermore, regarding the pending motion to dismiss on the donning and doffing issue, which will be fully briefed on or before July 29, 2008, defendants respectfully request that if the Court is inclined to schedule oral arguments, that any such arguments are not scheduled

until after August 13, 2008. The reason for this request is that I will be on vacation and out-of-the-country from July 29, 2008 until August 11, 2008. Plaintiffs' counsel consents to this request.

Thank you for your consideration of these requests.

Respectfully submitted,



Basil C. Sitaras (BS-1027)
Assistant Corporation Counsel

cc: VIA FACSIMILE
Douglas Milch, Esq.
Paul B. Weitz & Associates
Attorneys for Plaintiff
233 Broadway, 5th Floor
New York, New York 10279
Fax: (212) 346-0876

*Stafes letter regarding the
lunch-break claim is
due 8/11/08. Paragraphs
3 & 4 of the June 23
Order remain unchanged.*
James C. [Signature]
July 22, 2008